



LeeAnn Gorthey, Ph.D.  
(650) 838-4403  
gortl@perkinscoie.com

Exhibit B

Perkins  
Coie

101 Jefferson Drive  
Menlo Park, CA 94025-1114  
PHONE: 650.838.4300  
FAX: 650.838.4350  
www.perkinscoie.com

June 9, 2006  
via email

David Earp  
Geron Corporation  
230 Constitution Drive  
Menlo Park, CA 94025

Re: U.S. National Phase Application No. 10/562,374  
for **COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY**  
Your Reference: 510/200 PCT  
Our Reference: 38797-8004.US00

Dear David:

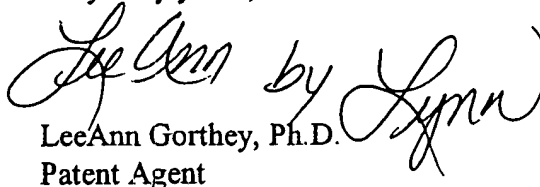
Enclosed for your information and records is a copy of a Notification of Missing Requirements which we received from the U.S. Patent and Trademark Office in the above-identified patent application. Also enclosed are a Declaration and Assignment document to be executed by the inventors, Calvin B. Harley, Allison C. Chin, Tsutomu Akama, Nancy Yuk-Yu Ip, Yung-hou Wong and David Miller-Martini.

Please have the inventors sign and date the declaration and assignment where indicated and return them to our offices as soon as possible. Also, please have an authorized representative of Geron Corporation sign and date the Power of Attorney and return it with the other executed documents.

A response to this Notification of Missing Requirements is due by July 8, 2006, however, time extensions are available, if required.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

  
LeeAnn Gorthey, Ph.D.  
Patent Agent

LAG/lbk  
Encs.

cc: K. Zielen (via email with enclosures)

BY061530.048

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · LOS ANGELES  
MENLO PARK · OLYMPIA · PHOENIX · PORTLAND · SAN FRANCISCO · SEATTLE · WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Exhibit C

June 15, 2006  
By Courier

GERON IP GROUP

JUN 16 2006

DOCKETED

**geron**

www.geron.com

Professor Tony R. Eastham  
President/Chief Executive Officer  
HONG KONG UNIVERSITY OF SCIENCE AND TECHNOLOGY  
R AND D CORPORATION LIMITED  
Clear Water Bay  
Kowloon, Hong Kong

Re:	Application Serial No.	Title	Geron Docket No.	Date Filed
	10/563,533	FORMULATIONS CONTAINING ASTRAGALUS EXTRACTS AND USES THEREOF	500/002	December 23, 2005
	10/562,374	COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY	510/002	
	10/562,410	COMPOSITIONS AND METHODS FOR SKIN CONDITIONING	511/002	

geron corporation  
230 Constitution Drive  
Menlo Park, CA 94025  
Tel: (650) 473-7700  
Fax: (650) 473-7750

Dear Mr. Eastham:

We have received a Notification of Missing Requirements from the U.S. Patent & Trademark Office, which requires the filing of an executed Declaration by the inventors for each of the above-referenced U.S. National Stage patent applications. These applications were addressed in David Earp's letter to you of November 9, 2005.

I have provided you with a copy of each of the PCT applications as published, a copy of any amendments made while in the International Stage, and a copy of the Preliminary Amendment filed as they entered the U.S. National Stage.


Enclosed for signature by inventors Nancy Yuk-yu Ip, Yung-hou Wong, and David M. Miller-Martini is an Inventor Declaration for each of the above-referenced applications. The inventors should sign and date each document on the appropriate lines after reading a copy of the applications as filed on December 23, 2005. The signatures need not be witnessed or notarized. The inventors should also check all personal data for accuracy. If there are any errors (e.g., spelling of the inventor's name), the inventor should make any necessary corrections AND INITIAL AND DATE THEM.

The due-date for response is **July 10, 2006**. Therefore, please expedite completion and return the Declarations to us before the actual due date.

Professor Tony R. E. Ham  
June 15, 2006  
Page 2 of 2

Thank you for helping us comply with these formalities. If you have any questions about this letter or the enclosed documents, please call.

Sincerely,

A handwritten signature in black ink that reads "Karen Zielen". The script is cursive and fluid.

Karen Zielen (Mrs.)  
Patent Secretary

Enclosures

**geron**

**Gorthey, LeeAnn (Perkins Coie)**

Exhibit D

**From:** Beechbum145@aol.com  
**Sent:** Tuesday, July 11, 2006 9:19 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** martinid@alltel.net  
**Subject:** PCT Applications (Geron/HKUST)

Dear Ms. Gorthey,

I attempted to contact you yesterday at the Perkins Coie office in Menlo Park and received your voice mail that you have relocated.

I am relaying a message from Dr. Miller-Martini pertaining to the three PTC applications that he received from HKUST. At this time, Dr. Miller-Martini is out of town and has forwarded these applications to his attorney, Mr. David Pontzer of the Law Offices of Pontzer and Pontzer. He has indicated to his attorney several concerns he has regarding these applications and Mr. Pontzer is preparing a response.

Dr. Miller-Martini has requested that I contact you in the event you have not yet heard from Mr. Pontzer to indicate that the matter is being addressed. He has requested that you directly contact Mr. Pontzer at 814.773.3108 with any questions or pending deadlines.

In general, his three concerns pertain to an incorrect reference to his citizenship, current address, and order of inventors listed in the applications.

Regards,  
Kathleen Geubelle, EO

8/30/2006

**Gorthey, LeeAnn (Perkins Coie)**

Exhibit E

**From:** Gorthey, LeeAnn (Perkins Coie)  
**Sent:** Monday, August 14, 2006 9:59 AM  
**To:** 'Beechbum145@aol.com'  
**Cc:** martinid@alltel.net; Kennelly, Lynnea (Perkins Coie); 'dearp@geron.com'  
**Subject:** RE: PCT Applications (Geron/HKUST)

Dear Ms. Geubelle,

Further to your email of July 11th, I left a message with Mr. Pontzer last Monday but have not received a reply. I will be going out of town shortly, returning the end of next week. I wanted to see if we could get this cleared up without too much further delay, since it does not sound like the issues are that complicated.

Your email indicated that Dr. Miller-Martini's concerns are "an incorrect reference to his citizenship, current address, and order of inventors listed in the applications". The first two would be no trouble at all to correct as long as we have the correct information. This could be forwarded to my secretary, Lynn Kennelly (lkennelly@perkinscoie.com) with a copy to me. (Alternatively, the inventor can simply make the necessary changes by hand, and date and initial them.)

The order of inventorship is a little less straightforward, since it is sometimes a touchy subject. Please note that the order of inventorship has \*no\* legal significance. That said, it can still have significance to the inventors. If you could give me some more specific idea of what the issues are here, I would appreciate it. (e.g. Does Dr. Miller-Martini wish to be listed first? If so, does he have a feeling as to whether the other inventors are likely to object to this?)

We're currently on a two month extension for two of the applications (if filed by September 8th) and a three month extension for the third (if filed by September 13th). The fees increase with time, and extensions longer than five months are not permitted. Since we will have to get fresh signatures for all the inventors if the order on the declaration is changed, we would like to get this moving if that is the case.

Thanks very much,

LeeAnn Gorthey

LeeAnn Gorthey, Ph.D.  
Patent Agent  
Perkins Coie LLP  
(503) 727-2116 office  
(503) 235-2128 home  
(408) 636-3084 cell  
Lgorthey@perkinscoie.com

-----Original Message-----

**From:** Beechbum145@aol.com [mailto:Beechbum145@aol.com]  
**Sent:** Tuesday, July 11, 2006 9:19 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** martinid@alltel.net  
**Subject:** PCT Applications (Geron/HKUST)

Dear Ms. Gorthey,

I attempted to contact you yesterday at the Perkins Coie office in Menlo Park and received your voice

8/30/2006

**From:** David Miller-Martini [martinid@windstream.net]  
**Sent:** Thursday, August 17, 2006 10:11 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** Kennelly, Lynnea (Perkins Coie); dearp@geron.com; gwood@webblaw.com  
**Subject:** Re: RE: PCT Applications (Geron/HKUST)

Dear Ms. Gorthey:

In response to your email regarding the issues pertaining to the three PCT applications, please be advised that there are a number of other outstanding issues complicating the execution of these documents.

To hopefully help expedite the execution of the three applications in due course; I would kindly request that your firm readies the applications with the following corrections:

Address correction: 409 Pine St., Ridgway, PA 15853  
Citizenship correction: United States of America  
Inventorship Correction: First position

Furthermore, execution of these documents will only occur 'subsequent' to your client and their joint venture partner having obtained an appropriate license to my rights and interests in these drug molecules/fractions/formulations.

I will further require evidence to these corrections on the three pending patent applications that have already been submitted to the USPTO for review and that are related to said PTC applications. Given that the provisional patent applications filed in June 2003 have all since been abandoned, I would also like to request copies of the "Combined Declaration and Power of Attorney" and "Assignment" documents (along with copies of the corresponding patent applications), which I executed for the new patent applications that were filed in December 2005.

Additionally, please be advised that I have retained new legal counsel in order to continue efforts to legally establish my ownership claims in the recently submitted patent applications related to "telomerase activators."

I extend my apology for the slow replies, or lack thereof, in responding to your past communications via my previous legal counsel. However, I can assure you that The Webb Law Firm will assist me in a more timely and professional manner in addressing any outstanding issues on the subject.

In this regard please redirect any further correspondence on this matter to:

Gwendolyn R. Wood, Ph.D.  
The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219

Telephone: 412-471-8815  
FAX: 412-471-4094

Kind regards,  
David M. Miller-Martini, Ph.D., MBA

+++++

> From: "Gorthey, LeeAnn \ (Perkins Coie\)" <LGorthey@perkinscoie.com>  
> Date: 2006/08/14 Mon PM 12:59:09 EDT  
> To: <Beechbum145@aol.com>  
> CC: <martinid@alltel.net>,  
> "Kennelly, Lynnea \ (Perkins Coie\)" <LKennelly@perkinscoie.com>,

**From:** David Miller-Martini [martinid@windstream.net]  
**Sent:** Monday, August 28, 2006 12:09 PM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** Kennelly, Lynnea (Perkins Coie); dearp@geron.com; pontzerlaw@adelphia.net  
**Subject:** Re: RE: PCT Applications (Geron/HKUST)

Dear Ms. Gorthey:

At this time, please be advised that The Law Offices of Pontzer & Pontzer will resume handling this case on my behalf until further notice. Also the Webb Law Firm as previously indicated has been retained for their Patent expertise.

Further to your email of August 14, 2006, please be informed that I'm currently seeking legal counsel on the matter from several sources and should it be in my best interest to sign the three PCT Application, and in so doing I do not forfeit my rights and interests in these inventions, I will be happy to execute the three applications with the indicated corrections.

Mr. David Pontzer will be contacting your office in due course in response to your email pertaining to the three PCT applications.

Kind regards, David M. Miller-Martini

> From: "Gorthey, LeeAnn \ (Perkins Coie\)" <LGorthey@perkinscoie.com>  
> Date: 2006/08/14 Mon PM 12:59:09 EDT  
> To: <Beechbum145@aol.com>  
> CC: <martinid@alltel.net>,  
> "Kennelly, Lynnea \ (Perkins Coie\)" <LKennelly@perkinscoie.com>,  
> <dearp@geron.com>  
> Subject: RE: PCT Applications (Geron/HKUST)

> Dear Ms. Geubelle,

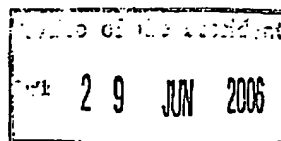
> Further to your email of July 11th, I left a message with Mr. Pontzer  
> last Monday but have not received a reply. I will be going out of town  
> shortly, returning the end of next week. I wanted to see if we could  
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> the issues are here, I would appreciate it. (e.g. Does Dr.  
> Miller-Martini wish to be listed first? If so, does he have a feeling  
> as to whether the other inventors are likely to object to this?)

June 16, 2006

Dr. John C. Chan, GBS, JP  
Council Chairman  
Hong Kong University of Science and Technology  
Clearwater Bay Rd.  
Kowloon, Hong Kong SAR China



Dear Dr. Chan:

Instead of my solicitor drafting and posting a more impersonal letter, I wanted to extend a professional courtesy to you by drafting this original letter myself. It is my hope that the letter will make clear my position and intentions with respect to my rights and interests in the "telomerase activators", which might be considered a misnomer given that their molecular target(s) are well upstream of telomerase. As you know, these small molecule compounds are currently being developed under a joint venture between the Biotechnology Research Corporation and Geron.

As you should also know, it was primarily through my efforts that the groundwork was laid for initiating the discovery program with Geron that focused on the screening of 50 TCMs for materials possessing biological activities that were capable of increasing telomerase activity in cultured keratinocytes. Moreover, I also played a key role in selecting and screening the materials, as well as identifying the active metabolite in *Astragalus membranaceus* (namely, astragaloside IV; formerly known as GRN-951) that possesses significant telomerase up-regulating potential. An aglycone of this compound (formerly GRN-665) is currently regarded as the lead candidate in the HIV/AIDS program. In this light, I am included as one of the inventors on several patent filings associated with these molecules and active fractions. Additionally, there were a number of other TCMs included in the original 50 herbal medicines that likewise possessed biological activities that resulted in the up-regulation of telomerase. I also screened several other semi-pure fractions and single entity compounds (the identities of which I will not disclose at this time) that were not included in the original group of 50 TCMs since they were known to simulate the ERK signaling pathway, and they too resulted in the substantial up-regulation of telomerase activity. With respect to the collection of "telomerase activator" materials as a whole, please note that I currently maintain certain rights and interests in their commercial development.

Although I had engaged in various conversations with a number of the Senior Administrators at HKUST regarding the transfer of my rights and interests to these materials under specified terms and conditions, they never came to fruition. Furthermore, I have not signed any agreements or contracts to the contrary. Review of my personnel file from November 1997 through June 2005, will show a series of employment contracts which designated my employment status as a "non-regular appointment." Further review of the terms and conditions of my employment will show that I was not then, or now,



being held to any terms or conditions of confidentiality, non-compete, or publication restrictions, nor is there any stipulation in these contracts regarding assignment of any IPR that I may be associated with to the University.

At this juncture, I wish to provide the University with the first right of refusal to my rights and interests in said IP. I will provide you 45 days from the date of this letter to indicate your interest in negotiating a license. Thereafter, I will make full disclosure of these materials in efforts to negotiate several non-executive licenses with a number of third party competitors interested in commercializing various aspects of these small molecules and crude/semi-crude fractions.

Please direct all correspondence pertaining to this matter to Mr. David Pontzer, Esq. at the Law Offices of Pontzer & Pontzer. His contact information is as follows: 220 Center Street, Ridgway, PA 15853; telephone 814-773-3108.

Sincerely,




David M. Miller-Martini, Ph.D, MBA

DMM-M/rgm

c.c. Mr. David Pontzer, Esq., The Law Offices of Pontzer & Pontzer  
~~Professor Paul Ching-Wai Chu, President, HKUST~~  
The Honourable Ronald Arculli, GBS, JP, Chairman, Board of Stewards, HKJC  
Dr. Thomas Okarma, CEO and Director, Geron  
Mr. Noel Patton, President, Asia Biotechnology Corporation

1AP7 Rec'd PCT/PTO 07 SEP 2006

Attorney Docket No.: 38797-8004.US00	Date Mailed: September 7, 2006	Express Mail No. EV 325 823 054 US
Serial No. 10/562,374	1A Filing Date: 06/23/2004	Applicant: Harley et al.
Title Compositions and Methods for Increasing Telomerase Activity		
<p>Papers Enclosed</p> <p><input checked="" type="checkbox"/> A Response to Notification of Missing Requirements under 35 U.S.C. 371</p> <p><input checked="" type="checkbox"/> A copy of the Notification</p> <p><input checked="" type="checkbox"/> A signed Declaration and Power of Attorney</p> <p><input checked="" type="checkbox"/> A signed Power of Attorney by Assignee</p> <p><input checked="" type="checkbox"/> A copy of three Assignment Recordation Cover Sheets and recorded Assignments</p> <p><input checked="" type="checkbox"/> A Petition under 37 CFR § 1.47(a) with associated Exhibits A-H</p> <p><input checked="" type="checkbox"/> A Sequence Listing, diskette and matching declaration</p> <p><input checked="" type="checkbox"/> A Petition for Two-month Time Extension</p> <p><input checked="" type="checkbox"/> A check in the amount of \$780 for the fees due.</p>		
<p>Received by the U.S. Patent and Trademark Office.</p> 		

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Additional information for this item is stored in files offline.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: HARLEY *et al.*

APPLICATION NO.: 10/562,374

I.A. FILING DATE: 06/23/2004

FOR: COMPOSITIONS AND METHODS FOR INCREASING  
TELOMERASE ACTIVITY

EXAMINER: UNASSIGNED

ART UNIT: UNASSIGNED

CONF. NO.: 7952

**Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)**

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**1. To complete the filing requirements for the above-referenced patent application, applicant submits the following:**

- ☒ A copy of the Notification of Missing Requirements
- ☒ A signed Declaration and Power of Attorney
- ☒ A Power of Attorney by Assignee
- ☒ A Copy of three recorded Assignments for informational purposes only.
- ☒ A Petition under 37 CFR §1.47(a) and associated Exhibits A-H
- ☒ A Petition for 2-month Time Extension
- ☒ A Sequence Listing, diskette and matching declaration
- ☒ A check in the amount of \$780 covering the fees due.


**2. Conditional Petition for Extension of Time**

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

**3. Fee Payment**

- ☒ Applicant claims large entity status. See 37 CFR §1.27
- ☒ Enclosed is a check in the amount of \$780 to cover the surcharge for late filing of the Declaration (\$130), the 2-mo. time extension (\$450), and petition (\$200) fees due.
- ☒ Please charge any underpayment or credit any overpayment for timely filing of this Response to Deposit Account No. 50-2207.

Respectfully submitted,

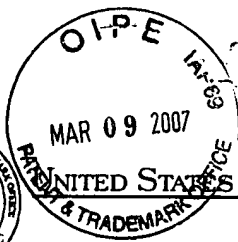
  
LeeAnn Gorthey  
Registration No. 37,337

Date: Sept 5, 2006**Correspondence Address:**

Customer No. 22918

Phone: (503) 727-2116

Fax: (503) 346-2116



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

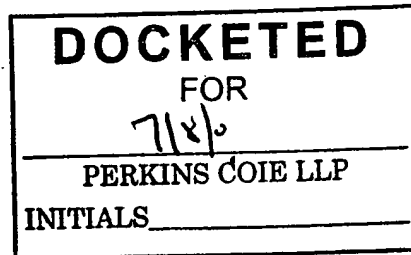
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,374	Calvin B. Harley	38797-8004.US00

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/US04/20277

I.A. FILING DATE	PRIORITY DATE
06/23/2004	06/23/2003

22918  
PERKINS COIE LLP  
P.O. BOX 2168  
MENLO PARK, CA 94026



CONFIRMATION NO. 7952

371 FORMALITIES LETTER



\*OC000000018700325\*

Date Mailed: 05/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2005
- Copy of the International Search Report filed on 12/23/2005
- Preliminary Amendments filed on 12/23/2005
- U.S. Basic National Fees filed on 12/23/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**

Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,374	PCT/US04/20277	38797-8004.US00

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



IN RE APPLICATION OF: Harley et al.

APPLICATION NO.: 10/562,374

FILING DATE: June 23, 2004

**TITLE: COMPOSITIONS AND METHODS FOR  
INCREASING TELOMERASE ACTIVITY**

EXAMINER: Unassigned

ART UNIT: Unassigned

CONF. NO: 7952

**Power of Attorney by Assignee and Certification**  
**Under 37 C.F.R. § 3.73(b)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

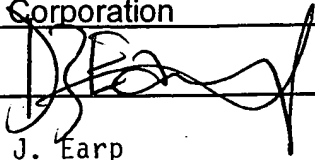
I, the undersigned, acting on behalf of the Assignee of the entire right, title and interest in the above-identified patent application, by virtue of three Assignments recorded at Reel/Frame 017926/0889 and 017926/0949, both recorded on 07/13/06, and 018043/0307 recorded on 08/02/06, in the U.S. Patent and Trademark Office, appoint the attorneys and agents associated with the Customer No. 22918, Perkins Coie LLP to prosecute and transact all business in the Patent and Trademark Office connected herewith. All prior powers of attorney for this application are hereby revoked.

This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Direct all telephone calls to LeeAnn Gorthey at (503) 727-2116. Address all correspondence to:

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC § 1001 and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

ASSIGNEE: Geron Corporation  
Signature:   
Typed Name: David J. Earp  
Title: Chief Patent Counsel  
Date: July 12, 2006  
Address: 230 Constitution Drive, Menlo Park, CA 94025





**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 13, 2006

DAVID J. EARP  
230 CONSTITUTION DRIVE  
MENLO PARK, CA 94025

PTAS GERON IP GROUP

JUL 17 2006

DOCKETED

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\*500125269A\*

RECEIVED

JUL 14 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

GERON CORPORATION  
PATENT DEPARTMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 07/13/2006

REEL/FRAME: 017926/0889  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 500-510-511/001X HK TO HK

ASSIGNOR:

IP, NANCY YUK-YU

DOC DATE: 10/09/2003

ASSIGNOR:

WONG, YUNG-HOU

DOC DATE: 10/09/2003

ASSIGNOR:

MILLER-MARTINI, DAVID M.

DOC DATE: 10/09/2003

ASSIGNEE:

HONG KONG UNIVERSITY OF SCIENCE  
AND TECHNOLOGY  
CLEAR WATER BAY  
KOWLOON, HONG KONG

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.USPTO.gov

017926/0889 PAGE 2

SERIAL NUMBER: 60483372

FILING DATE: 06/27/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: FORMULATIONS CONTAINING ASTRAGALUS EXTRACTS AND USES THEREOF

SERIAL NUMBER: 60480988

FILING DATE: 06/23/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY

SERIAL NUMBER: 60482630

FILING DATE: 06/25/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPOSITIONS AND METHODS FOR SKIN CONDITIONING

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

**ASSIGNMENT**

Whereas we, NancyYuk-yu Ip, Yung-hou Wong, David M. Miller-Martini

executed employment agreements with Hong Kong University of Science and Technology (hereinafter called HKUST), a tertiary educational Institution having its principal place of business at Clear Water Bay, Kowloon, Hong Kong, whereby we have agreed to assign to HKUST all inventions (except as otherwise limited by law) which relate to HKUST business and which were first conceived or actually reduced to practice during our employment by HKUST;

Now, therefor, pursuant to the terms of said employment agreements and for good and valuable consideration, receipt of which is hereby acknowledged, we do hereby sell, assign and transfer unto HKUST, its successors and assigns, the entire right, title and interest, including the right of priority in, to and under an application for Letters Patent of the United States entitled:

**COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY**

Serial No. 60/480,988 filed on 23 June 2003 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of HKUST, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional or reissue, or other papers which may be necessary or desirable fully to secure to HKUST, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent provided the expenses which may be incurred by me in lending such cooperation and assistance are paid by HKUST.

In witness whereof, we hereunto set our hands and seal:

Inventor's  
Signature:

Nancy Ip  
Nancy Yuk-yu Ip

Date:

Oct 9, 2003

Inventor's  
Signature:

Yung-hou Wong  
Yung-hou Wong

Date:

Oct 9, 2003

Inventor's  
Signature:

David M. Miller-Martini  
David M. Miller-Martini

Date:

Oct 9, 2003



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 13, 2006

DAVID J. EARP  
230 CONSTITUTION DRIVE  
MENLO PARK, CA 94025

PTAS

**RECEIVED\*500125277A\***

\*500125277A\*

**GERON IP GROUP**

**JUL 14 2006**

GERON CORPORATION  
PATENT DEPARTMENT

**JUL 17 2006**

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

**DOCKETED**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 07/13/2006

REEL/FRAME: 017926/0949  
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 510-511/001X G INV TO G

ASSIGNOR:

HARLEY, CALVIN B.

DOC DATE: 06/01/2004

ASSIGNOR:

CHIN, ALLISON C.

DOC DATE: 05/19/2004

ASSIGNOR:

AKAMA, TSUTOMU

DOC DATE: 05/27/2004

ASSIGNEE:

GERON CORPORATION  
230 CONSTITUTION DRIVE  
MENLO PARK, CALIFORNIA 94025

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.uspto.gov

017926/0949 PAGE 2

SERIAL NUMBER: 60480988

FILING DATE: 06/23/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY

SERIAL NUMBER: 60482630

FILING DATE: 06/25/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPOSITIONS AND METHODS FOR SKIN CONDITIONING

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

### ASSIGNMENT

Whereas we, Calvin B. Harley, Allison C. Chin, Tsutomu Akama

executed employment agreements with Geron Corporation (hereinafter called Geron), a Delaware Corporation having its principal place of business at 230 Constitution Drive, Menlo Park, CA 94025, whereby we have agreed to assign to Geron all inventions (except as otherwise limited by law) which relate to Geron business and which were first conceived or actually reduced to practice during our employment by Geron;

Now, therefor, pursuant to the terms of said employment agreements and for good and valuable consideration, receipt of which is hereby acknowledged, we do hereby sell, assign and transfer unto Geron, its successors and assigns, the entire right, title and interest, including the right of priority in, to and under an application for Letters Patent of the United States entitled:

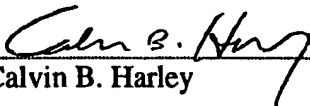
#### COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY

Serial No. 60/480,988 filed on 23 June 2003 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of Geron, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional or reissue, or other papers which may be necessary or desirable fully to secure to Geron, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent provided the expenses which may be incurred by me in lending such cooperation and assistance are paid by Geron.

In witness whereof, we hereunto set our hands and seal:

Inventor's  
Signature:

  
Calvin B. Harley


Date: 2004-June-1

Inventor's  
Signature:

  
Allison C. Chin

Date: 19-May-2004

Inventor's  
Signature:

  
Tsutomu Akama

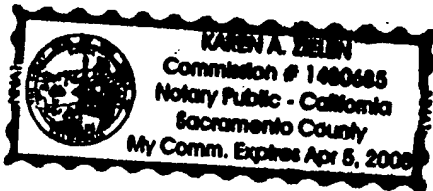
Date: 5/27/2004

State of California

County of San Mateo

} ss.

On June 1, 2004 before me, Karen A. Zielen, Notary Public personally appeared  
Calvin B. Harley personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she  
executed the same in his/her authorized capacity, and that by his/her signature on the instrument, executed the  
instrument.



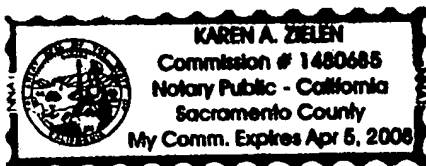
Karen A. Zielen

State of California

County of San Mateo

} ss.

On May 19, 2004 before me, Karen A. Zielen, Notary Public personally appeared  
Allison C. Chin personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she  
executed the same in his/her authorized capacity, and that by his/her signature on the instrument, executed the  
instrument.



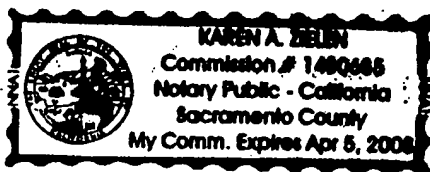
Karen A. Zielen

State of California

County of San Mateo

} ss.

On May 27 2004 before me, Karen A. Zielen, Notary Public personally appeared  
Tsutomo Akama personally known to me (or proved to me on the basis of satisfactory  
evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she  
executed the same in his/her authorized capacity, and that by his/her signature on the instrument, executed the  
instrument.



Karen A. Zielen





RECEIVED

AUG 03 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

GERON CORPORATION  
PATENT DEPARTMENT

AUGUST 03, 2006

DAVID J. EARP  
230 CONSTITUTION DRIVE  
MENLO PARK, CA 94025

PTAS GERON IP GROUP \*500133776A\*  
\*500133776A\*

AUG 04 2006

DOCKETED

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 08/02/2006

REEL/FRAME: 018043/0307  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 511,001X

ASSIGNOR:

HONG KONG UNIVERSITY OF SCIENCE  
AND TECHNOLOGY

DOC DATE: 07/18/2006

ASSIGNEE:

GERON CORPORATION  
230 CONSTITUTION DRIVE  
MENLO PARK, CALIFORNIA 94025

SERIAL NUMBER: 60482630

FILING DATE: 06/25/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPOSITIONS AND METHODS FOR SKIN CONDITIONING

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.USPTO.gov

018043/0307 PAGE 2

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

### ASSIGNMENT

This is an assignation by HONG KONG UNIVERSITY OF SCIENCE AND TECHNOLOGY, having a principal place of business at Clear Water Bay, Kowloon, Hong Kong ("HKUST"), in favor of GERON CORPORATION, a Delaware corporation having a principal place of business at 230 Constitution Drive, Menlo Park, California 94025 USA ("GERON").

Whereas HKUST holds rights in the following patent application:

<i>Patent Application No.</i>	<i>Title</i>	<i>Filing Date</i>
U.S. Provisional Patent Application Serial No. 60/480,988	COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY	23 June 2003

Pursuant to an agreement between HKUST and GERON, and for good and valuable consideration, receipt of which is hereby acknowledged, HKUST hereby assigns to GERON, its successors and assigns, the entire right, title and interest held by HKUST, including the right of priority in, to and under the patent application.

Further, and for the above consideration, we agree promptly upon request of HKUST, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, or other papers which may be necessary or desirable fully to secure to HKUST, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto. We further agree to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of any patent for said inventions, provided the expenses which may be incurred in lending such cooperation and assistance are paid by HKUST.

SUBSCRIBED for and on behalf of  
HONG KONG UNIVERSITY OF  
SCIENCE AND TECHNOLOGY by

.....  
Authorised Signatory, at

.....  
on 11 October, 2003

before the following Witness:

..... Witness

..... Full Name

TONY R. EASTHAM

Assoc. Vice President, R&D

HKUST

  
.....  
For and on behalf of HONG KONG  
UNIVERSITY OF SCIENCE AND TECHNOLOGY

Agreed and accepted by GERON CORPORATION,

SUBSCRIBED for and on behalf of  
GERON CORPORATION by

.....*David J. Corp*.....

Authorised Signatory, at

.....*Menlo Park, Ca*.....

on .....*October 17*....., 2003

before the following Witness:

.....*Daren Mahausky*..... Witness

.....*Daren Mahausky*..... Full Name

.....*230 Constitution St*..... Address

.....*Menlo Park, Ca 94025*.....

.....*[Signature]*.....  
For and on behalf of GERON CORPORATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF: Harley *et al.*

SERIAL NO.: 10/562,374

I.A. FILING DATE: 06/23/2004

FOR: COMPOSITIONS AND METHODS FOR  
INCREASING TELOMERASE ACTIVITY

EXAMINER: unassigned

ART UNIT: unassigned

CONF. NO.: 7952

**Petition under 37 CFR §1.47(a)**

Applicants hereby petition, under 37 CFR §1.47(a), to make the present application on behalf of themselves and the nonsigning inventor, David M. Miller-Martini, who has refused to join in the application. Provided herein, in accordance with this section, are proof of the pertinent facts, the last known address of the nonsigning inventor, and the petition fee of \$200.00.

**Statement of Facts**

I, the undersigned, am the agent of record in the above-referenced application. The following describes, to the best of my knowledge, the facts relied on to establish that Dr. David M. Miller-Martini has refused to sign the application papers (Declaration of Inventorship) in this application.

Dr. Miller-Martini is one of six co-inventors of the subject application.

Dr. Miller-Martini was an employee of Hong Kong University of Science and Technology (HKUST) when he worked on the subject invention, and in accordance with the requirements of his conditions of employment, and Hong Kong law, assigned to HKUST the entire right, title and interest in the inventions set forth in provisional application USSN 60/480,988, to which the above-referenced application claims priority, and any patents "granted thereon and therefor". The assignment, attached hereto as Exhibit A, was executed by Dr. Miller-Martini on October 9, 2003.

Dr. Miller-Martini subsequently left his employment at HKUST. His most recent known address is 409 Pine St., Ridgway PA 15853.

The Notice to File Missing Parts in the above-referenced application was received in the offices of Perkins Coie, LLP on May 15, 2006. Documents to be signed by each inventor, including the Declaration of Inventorship, were prepared at Perkins Coie and sent to Geron Corporation, assignee of the application, on June 9, 2006. A copy of Perkins Coie's cover letter is enclosed as Exhibit B.

The documents were then forwarded by Geron to Mr. Tony Eastham, President and CEO of HKUST, for presenting to the inventors. A copy of Geron's cover letter is enclosed as Exhibit C. Note that the letter emphasizes that the inventor is to sign the Declaration only after having read a copy of the subject application.

On July 11, 2006, I received an email (Exhibit D) from a Ms. Kathleen Geubelle, addressed to me and copied to Dr. Miller-Martini. The email stated that Dr. Miller-Martini had "several concerns" regarding the applications (the above-referenced application and two copending applications) and more specifically stated that "his three concerns pertain to an incorrect reference to his citizenship, current address, and order of inventors listed in the applications". I was asked to contact Dr. Miller-Martini's legal counsel, Mr. David Pontzer, regarding these matters.

(This email refers to the applications that Dr. Miller-Martini "received from HKUST", further establishing that the inventor was presented with a copy of the subject application.)

I subsequently left a message with Mr. Pontzer as instructed, but I did not receive a reply. On August 14, 2006, I sent a reply email (Exhibit E) to Ms. Geubelle, copying Dr. Miller-Martini and Dr. David Earp, chief patent counsel at Geron Corporation. In this email I pointed out that the concerns stated above should not be very difficult to resolve.

On August 17, 2006, Dr. Miller-Martini sent a reply email (Exhibit F) addressed to me and copied to Dr. Earp and Dr. Miller-Martini's legal counsel. Dr. Miller-Martini declined to execute the Declaration of Inventorship, stating that "execution of these documents will only occur 'subsequent' to your client [Geron Corp.] and their joint venture partner [HKUST] having obtained an appropriate license to my rights and interests in these drug molecules/fractions/formulations." A later email (Exhibit G) from Dr. Miller-Martini similarly stated that he would execute the documents if "in so doing I do not forfeit my rights and interests in these inventions".

Dr. Miller-Martini's contention that he retains "rights and interests in these inventions" is consistent with the position taken in his letter to the Chairman of HKUST, dated June 16, 2006 (Exhibit H). In that letter he not only asserted these rights and interests but also suggested that he would disclose claimed subject matter (and other confidential information) to "third party competitors" if no license were negotiated between himself and HKUST.

In view of the above, (1) Dr. Miller-Martini has assigned any rights he had in this application to his former employer, HKUST (see assignment, Exhibit A), in accordance with his legal obligations; and (2) Dr. Miller-Martini's stated conditions for executing the application papers (requiring HKUST to negotiate a license) constitute a refusal to execute the application papers.

Conclusion

The applicants submit that this petition complies with the requirements of 37 CFR §1.47(a) and MPEP §409.03(d), and gives documented evidence that the application papers were duly presented to the inventor, and that the inventor refused to sign the application papers.

Respectfully submitted,



LeeAnn Gorthey  
Registration No. 37,337

Date: Sept. 5, 2006

**Correspondence Address:**

PAYOR NUMBER 22918

Telephone: (503) 727-2116

### ASSIGNMENT

Whereas we, NancyYuk-yu Ip, Yung-hou Wong, David M. Miller-Martini

executed employment agreements with Hong Kong University of Science and Technology (hereinafter called HKUST), a tertiary educational Institution having its principal place of business at Clear Water Bay, Kowloon, Hong Kong, whereby we have agreed to assign to HKUST all inventions (except as otherwise limited by law) which relate to HKUST business and which were first conceived or actually reduced to practice during our employment by HKUST;

Now, therefor, pursuant to the terms of said employment agreements and for good and valuable consideration, receipt of which is hereby acknowledged, we do hereby sell, assign and transfer unto HKUST, its successors and assigns, the entire right, title and interest, including the right of priority in, to and under an application for Letters Patent of the United States entitled:

#### COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY

Serial No. 60/480,988 filed on 23 June 2003 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of HKUST, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional or reissue, or other papers which may be necessary or desirable fully to secure to HKUST, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent provided the expenses which may be incurred by me in lending such cooperation and assistance are paid by HKUST.

In witness whereof, we hereunto set our hands and seal:

Inventor's  
Signature:

Nancy Ip  
Nancy Yuk-yu Ip

Date:

Oct 9, 2003

Inventor's  
Signature:

Yung-hou Wong  
Yung-hou Wong

Date:

Oct 9, 2003

Inventor's  
Signature:

David M. Miller-Martini  
David M. Miller-Martini

Date:

Oct 9, 2003



Exhibit B

Perkins  
Coie

LeeAnn Gorthey, Ph.D.  
(650) 838-4403  
gortl@perkinscoie.com

June 9, 2006  
*via email*

101 Jefferson Drive  
Menlo Park, CA 94025-1114  
PHONE: 650.838.4300  
FAX: 650.838.4350  
www.perkinscoie.com

David Earp  
Geron Corporation  
230 Constitution Drive  
Menlo Park, CA 94025

Re: U.S. National Phase Application No. 10/562,374  
for **COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY**  
Your Reference: 510/200 PCT  
Our Reference: 38797-8004.US00

Dear David:

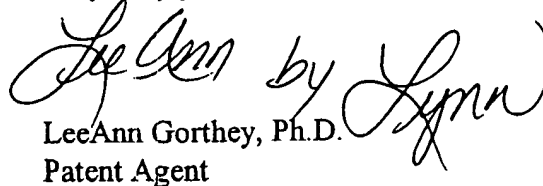
Enclosed for your information and records is a copy of a Notification of Missing Requirements which we received from the U.S. Patent and Trademark Office in the above-identified patent application. Also enclosed are a Declaration and Assignment document to be executed by the inventors, Calvin B. Harley, Allison C. Chin, Tsutomu Akama, Nancy Yuk-Yu Ip, Yung-hou Wong and David Miller-Martini.

Please have the inventors sign and date the declaration and assignment where indicated and return them to our offices as soon as possible. Also, please have an authorized representative of Geron Corporation sign and date the Power of Attorney and return it with the other executed documents.

A response to this Notification of Missing Requirements is due by July 8, 2006, however, time extensions are available, if required.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

  
LeeAnn Gorthey, Ph.D.  
Patent Agent

LAG/lbk  
Encs.

cc: K. Zielen (via email with enclosures)

BY061530.048

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · LOS ANGELES  
MENLO PARK · OLYMPIA · PHOENIX · PORTLAND · SAN FRANCISCO · SEATTLE · WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

June 15, 2006  
By Courier

**GERON IP GROUP**

**JUN 16 2006**

**DOCKETED**

**geron**

www.geron.com

Professor Tony R. Eastham  
President/Chief Executive Officer  
HONG KONG UNIVERSITY OF SCIENCE AND TECHNOLOGY  
R AND D CORPORATION LIMITED  
Clear Water Bay  
Kowloon, Hong Kong

Re:	Application Serial No.	Title	Geron Docket No.	Date Filed
	10/563,533	FORMULATIONS CONTAINING ASTRAGALUS EXTRACTS AND USES THEREOF	500/002	December 23, 2005
	10/562,374	COMPOSITIONS AND METHODS FOR INCREASING TELOMERASE ACTIVITY	510/002	
	10/562,410	COMPOSITIONS AND METHODS FOR SKIN CONDITIONING	511/002	

geron corporation  
230 Constitution Drive  
Menlo Park, CA 94025  
Tel: (650) 473-7700  
Fax: (650) 473-7750

Dear Mr. Eastham:

We have received a Notification of Missing Requirements from the U.S. Patent & Trademark Office, which requires the filing of an executed Declaration by the inventors for each of the above-referenced U.S. National Stage patent applications. These applications were addressed in David Earp's letter to you of November 9, 2005.

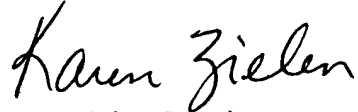
I have provided you with a copy of each of the PCT applications as published, a copy of any amendments made while in the International Stage, and a copy of the Preliminary Amendment filed as they entered the U.S. National Stage.

Enclosed for signature by inventors Nancy Yuk-yu Ip, Yung-hou Wong, and David M. Miller-Martini is an Inventor Declaration for each of the above-referenced applications. The inventors should sign and date each document on the appropriate lines after reading a copy of the applications as filed on December 23, 2005. The signatures need not be witnessed or notarized. The inventors should also check all personal data for accuracy. If there are any errors (e.g., spelling of the inventor's name), the inventor should make any necessary corrections AND INITIAL AND DATE THEM.

The due-date for response is **July 10, 2006**. Therefore, please expedite completion and return the Declarations to us before the actual due date.

Thank you for helping us comply with these formalities. If you have any questions about this letter or the enclosed documents, please call.

Sincerely,

A handwritten signature in cursive script that reads "Karen Zielen".

Karen Zielen (Mrs.)  
Patent Secretary

Enclosures

**geron**

**Gorthey, LeeAnn (Perkins Coie)**

Exhibit D

**From:** Beechbum145@aol.com  
**Sent:** Tuesday, July 11, 2006 9:19 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** martinid@alltel.net  
**Subject:** PCT Applications (Geron/HKUST)

Dear Ms. Gorthey,

I attempted to contact you yesterday at the Perkins Coie office in Menlo Park and received your voice mail that you have relocated.

I am relaying a message from Dr. Miller-Martini pertaining to the three PTC applications that he received from HKUST. At this time, Dr. Miller-Martini is out of town and has forwarded these applications to his attorney, Mr. David Pontzer of the Law Offices of Pontzer and Pontzer. He has indicated to his attorney several concerns he has regarding these applications and Mr. Pontzer is preparing a response.

Dr. Miller-Martini has requested that I contact you in the event you have not yet heard from Mr. Pontzer to indicate that the matter is being addressed. He has requested that you directly contact Mr. Pontzer at 814.773.3108 with any questions or pending deadlines.

In general, his three concerns pertain to an incorrect reference to his citizenship, current address, and order of inventors listed in the applications.

Regards,  
Kathleen Geubelle, EO

8/30/2006

**Gorthey, LeeAnn (Perkins Coie)**

Exhibit E

**From:** Gorthey, LeeAnn (Perkins Coie)  
**Sent:** Monday, August 14, 2006 9:59 AM  
**To:** 'Beechbum145@aol.com'  
**Cc:** martinid@alltel.net; Kennelly, Lynnea (Perkins Coie); 'dearp@geron.com'  
**Subject:** RE: PCT Applications (Geron/HKUST)

Dear Ms. Geubelle,

Further to your email of July 11th, I left a message with Mr. Pontzer last Monday but have not received a reply. I will be going out of town shortly, returning the end of next week. I wanted to see if we could get this cleared up without too much further delay, since it does not sound like the issues are that complicated.

Your email indicated that Dr. Miller-Martini's concerns are "an incorrect reference to his citizenship, current address, and order of inventors listed in the applications". The first two would be no trouble at all to correct as long as we have the correct information. This could be forwarded to my secretary, Lynn Kennelly (lkennelly@perkinscoie.com) with a copy to me. (Alternatively, the inventor can simply make the necessary changes by hand, and date and initial them.)

The order of inventorship is a little less straightforward, since it is sometimes a touchy subject. Please note that the order of inventorship has \*no\* legal significance. That said, it can still have significance to the inventors. If you could give me some more specific idea of what the issues are here, I would appreciate it. (e.g. Does Dr. Miller-Martini wish to be listed first? If so, does he have a feeling as to whether the other inventors are likely to object to this?)

We're currently on a two month extension for two of the applications (if filed by September 8th) and a three month extension for the third (if filed by September 13th). The fees increase with time, and extensions longer than five months are not permitted. Since we will have to get fresh signatures for all the inventors if the order on the declaration is changed, we would like to get this moving if that is the case.

Thanks very much,

LeeAnn Gorthey

LeeAnn Gorthey, Ph.D.  
Patent Agent  
Perkins Coie LLP  
(503) 727-2116 office  
(503) 235-2128 home  
(408) 636-3084 cell  
Lgorthey@perkinscoie.com

-----Original Message-----

**From:** Beechbum145@aol.com [mailto:Beechbum145@aol.com]  
**Sent:** Tuesday, July 11, 2006 9:19 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** martinid@alltel.net  
**Subject:** PCT Applications (Geron/HKUST)

Dear Ms. Gorthey,

I attempted to contact you yesterday at the Perkins Coie office in Menlo Park and received your voice

8/30/2006

**From:** David Miller-Martini [martinid@windstream.net]  
**Sent:** Thursday, August 17, 2006 10:11 AM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** Kennelly, Lynnea (Perkins Coie); dearp@geron.com; gwood@webblaw.com  
**Subject:** Re: RE: PCT Applications (Geron/HKUST)

Dear Ms. Gorthey:

In response to your email regarding the issues pertaining to the three PCT applications, please be advised that there are a number of other outstanding issues complicating the execution of these documents.

To hopefully help expedite the execution of the three applications in due course; I would kindly request that your firm readies the applications with the following corrections:

Address correction: 409 Pine St., Ridgway, PA 15853  
Citizenship correction: United States of America  
Inventorship Correction: First position

Furthermore, execution of these documents will only occur 'subsequent' to your client and their joint venture partner having obtained an appropriate license to my rights and interests in these drug molecules/fractions/formulations.

I will further require evidence to these corrections on the three pending patent applications that have already been submitted to the USPTO for review and that are related to said PTC applications. Given that the provisional patent applications filed in June 2003 have all since been abandoned, I would also like to request copies of the "Combined Declaration and Power of Attorney" and "Assignment" documents (along with copies of the corresponding patent applications), which I executed for the new patent applications that were filed in December 2005.

Additionally, please be advised that I have retained new legal counsel in order to continue efforts to legally establish my ownership claims in the recently submitted patent applications related to "telomerase activators."

I extend my apology for the slow replies, or lack thereof, in responding to your past communications via my previous legal counsel. However, I can assure you that The Webb Law Firm will assist me in a more timely and professional manner in addressing any outstanding issues on the subject.

In this regard please redirect any further correspondence on this matter to:

Gwendolyn R. Wood, Ph.D.  
The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219

Telephone: 412-471-8815  
FAX: 412-471-4094

Kind regards,  
David M. Miller-Martini, Ph.D., MBA

+++++

> From: "Gorthey, LeeAnn \ (Perkins Coie\)" <LGorthey@perkinscoie.com>  
> Date: 2006/08/14 Mon PM 12:59:09 EDT  
> To: <Beechbum145@aol.com>  
> CC: <martinid@alltel.net>,  
> "Kennelly, Lynnea \ (Perkins Coie\)" <LKennelly@perkinscoie.com>,

**From:** David Miller-Martini [martinid@windstream.net]  
**Sent:** Monday, August 28, 2006 12:09 PM  
**To:** Gorthey, LeeAnn (Perkins Coie)  
**Cc:** Kennelly, Lynnea (Perkins Coie); dearp@geron.com; pontzerlaw@adelphia.net  
**Subject:** Re: RE: PCT Applications (Geron/HKUST)

Dear Ms. Gorthey:

At this time, please be advised that The Law Offices of Pontzer & Ponzter will resume handling this case on my behalf until further notice. Also the Webb Law Firm as previously indicated has been retained for their Patent expertise.

Further to your email of August 14, 2006, please be informed that I'm currently seeking legal counsel on the matter from several sources and should it be in my best interest to sign the three PCT Application, and in so doing I do not forfeit my rights and interests in these inventions, I will be happy to execute the three applications with the indicated corrections.

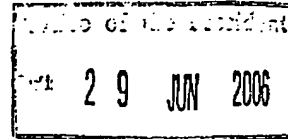
Mr. David Ponzter will be contacting your office in due course in response to your email pertaining to the three PCT applications.

Kind regards, David M. Miller-Martini

> From: "Gorthey, LeeAnn \ (Perkins Coie\)" <LGorthey@perkinscoie.com>  
> Date: 2006/08/14 Mon PM 12:59:09 EDT  
> To: <Beechbum145@aol.com>  
> CC: <martinid@alltel.net>,  
> "Kennelly, Lynnea \ (Perkins Coie\)" <LKennelly@perkinscoie.com>,  
> <dearp@geron.com>  
> Subject: RE: PCT Applications (Geron/HKUST)  
>  
>  
> Dear Ms. Geubelle,  
>  
>  
> Further to your email of July 11th, I left a message with Mr. Pontzer  
> last Monday but have not received a reply. I will be going out of town  
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> Miller-Martini wish to be listed first? If so, does he have a feeling  
> as to whether the other inventors are likely to object to this?)  
>

June 16, 2006

Dr. John C. Chan, GBS, JP  
Council Chairman  
Hong Kong University of Science and Technology  
Clearwater Bay Rd.  
Kowloon, Hong Kong SAR China



Dear Dr. Chan:

Instead of my solicitor drafting and posting a more impersonal letter, I wanted to extend a professional courtesy to you by drafting this original letter myself. It is my hope that the letter will make clear my position and intentions with respect to my rights and interests in the "telomerase activators", which might be considered a misnomer given that their molecular target(s) are well upstream of telomerase. As you know, these small molecule compounds are currently being developed under a joint venture between the Biotechnology Research Corporation and Geron.

As you should also know, it was primarily through my efforts that the groundwork was laid for initiating the discovery program with Geron that focused on the screening of 50 TCMs for materials possessing biological activities that were capable of increasing telomerase activity in cultured keratinocytes. Moreover, I also played a key role in selecting and screening the materials, as well as identifying the active metabolite in *Astragalus membranaceus* (namely, astragaloside IV; formerly known as GRN-951) that possesses significant telomerase up-regulating potential. An aglycone of this compound (formerly GRN-665) is currently regarded as the lead candidate in the HIV/AIDS program. In this light, I am included as one of the inventors on several patent filings associated with these molecules and active fractions. Additionally, there were a number of other TCMs included in the original 50 herbal medicines that likewise possessed biological activities that resulted in the up-regulation of telomerase. I also screened several other semi-pure fractions and single entity compounds (the identities of which I will not disclose at this time) that were not included in the original group of 50 TCMs since they were known to simulate the ERK signaling pathway, and they too resulted in the substantial up-regulation of telomerase activity. With respect to the collection of "telomerase activator" materials as a whole, please note that I currently maintain certain rights and interests in their commercial development.

Although I had engaged in various conversations with a number of the Senior Administrators at HKUST regarding the transfer of my rights and interests to these materials under specified terms and conditions, they never came to fruition. Furthermore, I have not signed any agreements or contracts to the contrary. Review of my personnel file from November 1997 through June 2005, will show a series of employment contracts which designated my employment status as a "non-regular appointment." Further review of the terms and conditions of my employment will show that I was not then, or now,

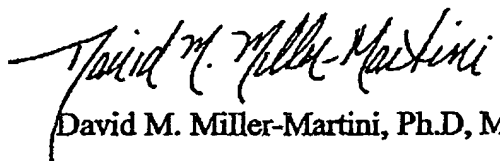


being held to any terms or conditions of confidentiality, non-compete, or publication restrictions, nor is there any stipulation in these contracts regarding assignment of any IPR that I may be associated with to the University.

At this juncture, I wish to provide the University with the first right of refusal to my rights and interests in said IP. I will provide you 45 days from the date of this letter to indicate your interest in negotiating a license. Thereafter, I will make full disclosure of these materials in efforts to negotiate several non-executive licenses with a number of third party competitors interested in commercializing various aspects of these small molecules and crude/semi-crude fractions.

Please direct all correspondence pertaining to this matter to Mr. David Pontzer, Esq. at the Law Offices of Pontzer & Pontzer. His contact information is as follows: 220 Center Street, Ridgway, PA 15853; telephone 814-773-3108.

Sincerely,



David M. Miller-Martini, Ph.D, MBA

DMM-M/rgm

c.c. Mr. David Pontzer, Esq., The Law Offices of Pontzer & Pontzer  
~~Professor Paul Ching-Wai Chan, President, HKUST~~  
The Honourable Ronald Arculli, GBS, JP, Chairman, Board of Stewards, HKJC  
Dr. Thomas Okarma, CEO and Director, Geron  
Mr. Noel Patton, President, Asia Biotechnology Corporation